

**\*E-FILED: August 26, 2013\***

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GARNER BECKETT,  
Plaintiff,  
v.

No. C12-04321 HRL

**THIRD ORDER TO SHOW CAUSE RE  
SETTLEMENT**

MACY'S CREDIT AND CUSTOMER  
SERVICES, INC., an Ohio corporation, aka  
MACYSDSNB and DSNB MACY'S and  
MACY'S WEST STORES, INC., an Ohio  
corporation; and Does 1 through 5 inclusive,  
Defendants.

Following another settlement conference with Magistrate Judge Grewal, this court is informed that this case remains settled; that the parties have agreed on the terms of a settlement agreement; and that, due to some health issues, there has been some delay in obtaining plaintiff's signature on the final agreement. Accordingly, the court will give the parties a brief period to wrap things up.

**On or before September 13, 2013**, the parties shall file a stipulated dismissal pursuant to Fed. R. Civ. P. 41(a). If a dismissal is not filed by the specified date, the parties shall appear in Courtroom 2, 5th Floor of the United States District Court, 280 South First Street, San Jose, California on **September 24, 2013, 10:00 a.m.** and show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(a). The parties shall file a joint statement in

1 response to this Order to Show Cause **no later than September 17, 2013**, advising as to (1) the  
2 status of the activities of the parties in finalizing settlement; and (2) how much additional time,  
3 if any, is requested to finalize the settlement and file the dismissal. If a dismissal is filed as  
4 ordered, the Order to Show Cause hearing will be automatically vacated and the parties need  
5 not file a statement in response to this Order.

6 Failure to comply with this order will be deemed grounds for dismissal.

7 SO ORDERED.

8 Dated: August 26, 2013

  
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HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

**United States District Court**  
For the Northern District of California

5:12-cv-04321-HRL Notice has been electronically mailed to:

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